

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN

IN RE:

Stacy Lynnea Roberts

HONORABLE JEFFREY R. HUGHES

Case No. 09-14379-jrh

Chapter 7

Debtor.

JOSHUA BLANCHARD

Attorney for Debtor

P.O. Box 89

Clare, MI 48617

989-283-1300

CRAIG S. SCHOENHERR, SR. (P32245)

KURT A. STEINKE (P44538)

Attorneys for Creditor

O'REILLY RANCILIO P.C.

Sterling Town Center

12900 Hall Road, Suite 350

Sterling Heights, MI 48313-1151

(586) 726-1000

**MOTION OF CITIFINANCIAL AUTO CORPORATION
FOR RELIEF FROM THE AUTOMATIC STAY**

CitiFinancial Auto Corporation (the Creditor), pursuant to 11 U.S.C. § 361, 11 U.S.C. § 362, 11 U.S.C. § 363 and L. Bankr. R. 9013 and 4001.1 (W.D. Mich.) for relief from the Automatic Stay to permit foreclosure of its security interest on the Debtor's vehicle identified on the attached Instalment Sales Contract, (Exhibit "B"), to wit:

One 2007 Pontiac Torrent, bearing

Vehicle Identification No. 2CKDL63F276042241

1. This Court has jurisdiction over the proceeding pursuant to 28 U.S.C. § 1334, § 157 and 11 U.S.C. § 361-363.
2. On or about December 8, 2009, Stacy Lynnea Roberts filed a Voluntary Petition for Relief under Chapter 7 of the Bankruptcy Code.

3. The Creditor holds a valid perfected security interest in the above-mentioned vehicle. (Exhibit "B")

4. There is an outstanding balance owing to the Creditor under the terms of the Instalment Sales Contract in the amount of \$22,174.25.

5. The above mentioned motor vehicle has an estimated Fair Market Value of \$16,941.00.

6. The Creditor has received no payments on the account since July 18, 2009, and the account is past due for the August 11, 2009 payment.

7. The Debtor has no equity in the vehicle as the Debtor's outstanding balance is greater than the estimated Fair Market Value of the vehicle.

8. The Creditor has been unable to verify full-coverage insurance on the vehicle.

9. The proposed Order for Relief from the Automatic Stay is attached as Exhibit A.

In conclusion, the Creditor respectfully requests the entry of an Order (Exhibit A) pursuant to 11 U.S.C. § 361 (d), granting relief from the Automatic Stay and allowing the Creditor to take all other action necessary to protect its interest in the vehicle.

/s/ Kurt A. Steinke

CRAIG S. SCHOENHERR, SR. (P32245)
KURT A. STEINKE (P44538)
Attorneys for Creditor
O'REILLY RANCILIO P.C.
Sterling Town Center
12900 Hall Road, Suite 350
Sterling Heights, MI 48313-1151
(586) 726-1000
ecf@orlaw.com

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